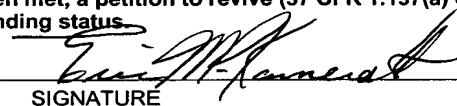


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| FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 12-2004) | | ATTORNEY'S DOCKET NUMBER 14321.66 | |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/525407 | |
| INTERNATIONAL APPLICATION NO. PCT/JP2004/008952 | INTERNATIONAL FILING DATE June 18, 2004 | PRIORITY DATE CLAIMED | |
| TITLE OF INVENTION OPTICAL WAVELENGTH MULTIPLEX ACCESS SYSTEM AND OPTICAL NETWORK UNIT | | | |
| APPLICANT(S) FOR DO/EO/US | | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p> <p>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</p> <p>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</p> | | | |
| Items 13 to 23 below concern document(s) or information included: | | | |
| <p>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>15. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p>16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>17. <input type="checkbox"/> A substitute specification.</p> <p>18. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>20. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>21. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>22. <input checked="" type="checkbox"/> Express Mail Label No. EV 566 183 719 US</p> <p>23. <input checked="" type="checkbox"/> Other items or information: Postcard</p> | | | |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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|--|--------------|--|-------------------------------------|---|--------------------|---|----------|--|-------------------------------------|--|----------|----|----------|---|----------|----|----------|--------------------------------------|--|------------------|--|----|------------|
| U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/525407 | | INTERNATIONAL APPLICATION NO. PCT/JP2004/008952 | | ATTORNEY'S DOCKET NUMBER 14321.66 | | | | | | | | | | | | | | | | | | | |
| 24. The following fees are submitted: <table border="1"> <tr> <td><input checked="" type="checkbox"/> a) Basic national fee</td> <td>\$300.00</td> <td><input type="checkbox"/> Applicant use</td> <td><input type="checkbox"/> Office use</td> </tr> <tr> <td><input checked="" type="checkbox"/> b) Examination fee</td> <td>\$200.00</td> <td>\$</td> <td>\$200.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> c) Search fee</td> <td>\$500.00</td> <td>\$</td> <td>\$500.00</td> </tr> <tr> <td colspan="2">TOTAL OF ABOVE CALCULATIONS =</td> <td colspan="2">\$1000.00</td> <td>\$</td> <td>\$1,000.00</td> </tr> </table> | | | | | | <input checked="" type="checkbox"/> a) Basic national fee | \$300.00 | <input type="checkbox"/> Applicant use | <input type="checkbox"/> Office use | <input checked="" type="checkbox"/> b) Examination fee | \$200.00 | \$ | \$200.00 | <input checked="" type="checkbox"/> c) Search fee | \$500.00 | \$ | \$500.00 | TOTAL OF ABOVE CALCULATIONS = | | \$1000.00 | | \$ | \$1,000.00 |
| <input checked="" type="checkbox"/> a) Basic national fee | \$300.00 | <input type="checkbox"/> Applicant use | <input type="checkbox"/> Office use | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> b) Examination fee | \$200.00 | \$ | \$200.00 | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> c) Search fee | \$500.00 | \$ | \$500.00 | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | \$1000.00 | | \$ | \$1,000.00 | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | | | | | | | | | | | | | | | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole) | | RATE | | | | | | | | | | | | | | | | | | | |
| 55 - 100 = | -45 /50 = | 0 | | x \$250.00 | \$ \$0.00 | | | | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | | | | | | | | | | | | | | | | | | | | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | | | | | | | | | | | | | | | | | | | |
| Total claims | 9 - 20 = | 0 | x | \$50.00 | \$ \$0.00 | | | | | | | | | | | | | | | | | | |
| Independent claims | 4 - 3 = | 1 | x | \$200.00 | \$ \$200.00 | | | | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00 \$ \$0.00 | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = \$ \$1,200.00 | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = \$ \$1,200.00 | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = \$ \$1,200.00 | | | | | | | | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$ \$40.00 | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = \$ \$1,240.00 | | | | | | | | | | | | | | | | | | | | | | | |
| Amount to be refunded: \$ | | | | | | | | | | | | | | | | | | | | | | | |
| Amount to be charged: \$ | | | | | | | | | | | | | | | | | | | | | | | |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. | | | | | | | | | | | | | | | | | | | | | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is _____. | | | | | | | | | | | | | | | | | | | | | | | |
| c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-3178</u> . A duplicate copy of this sheet is enclosed. | | | | | | | | | | | | | | | | | | | | | | | |
| d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | | | | | | | | | | | | | | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | | | | | | | | | | | | | | | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | | | | | | | | | | | | | | | | | | | | |
| ERIC M. KAMERATH | | | | | | | | | | | | | | | | | | | | | | | |
| Registration No. 46,081 | | | | | | | | | | | | | | | | | | | | | | | |
| Customer No. 022913 | | | | | | | | | | | | | | | | | | | | | | | |
|  SIGNATURE Eric M. Kamerath | | | | | | | | | | | | | | | | | | | | | | | |
| NAME | | | | | | | | | | | | | | | | | | | | | | | |
| 46,081 | | | | | | | | | | | | | | | | | | | | | | | |
| REGISTRATION NUMBER | | | | | | | | | | | | | | | | | | | | | | | |

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Jun-ichi Kani, et al.

Docket No.
107525407
14321.66

DT01 Read PCT/TT 23 FEB 2005

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|-------------------------------|----------------------------------|------------------------|------------------------|------------------------------|
| Application No. Unassigned | Filing Date February 23, 2005 | Examiner Unassigned | Customer No. 022913 | Group Art Unit Unassigned |
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Invention: **OPTICAL WAVELENGTH MULTIPLEX ACCESS SYSTEM AND OPTICAL NETWORK UNIT**

I hereby certify that the following correspondence:

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| Transmittal Letter (2 pgs, in duplicate); Combined Declaration and Power of Attorney (4 pgs.); Assignment (3 pgs.) International PCT Application (53 pgs.); English Translation of International Application (56 pgs.); Official drawings (18 pgs.); PTO-2038 form (1 pg.); postcard; and Certificate of Express Mailing Label No. EV 566 183 719 US |
|--|

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 23, 2005*(Date)*Andrea H. Maxfield*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)*EV 566 183 719 US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

10/525407
DT01 Rec'd PCT/PTC 23 FEB 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re International Application of

Jun-ichi KANI and Katsumi IWATSUKI

International Application No.: PCT/JP2004/008952

International filing date: June 18, 2004

For: OPTICAL WAVELENGTH MULTIPLEX ACCESS SYSTEM AND OPTICAL NETWORK UNIT

VERIFICATION OF TRANSLATION

Honorable Commissioner of Patent and Trademark

Washington, D.C. 20231

Sir:

Junichi SHIBUSAWA residing at c/o TANI & ABE, 6-20, Akasaka 2-chome, Minato-ku, Tokyo 107-0052, Japan, declares:

(1) that he knows well both the Japanese and English languages;

(2) that he translated the claims of the above-identified International Application from Japanese to English;

(3) that the attached English translation is a true and correct translation of the claims, specification and drawings of the above-identified International Application to the best of his knowledge and belief; and

(4) that all statements made of his own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such false statements may jeopardize the validity of the application or any patent issuing thereon.

2005-1-5

Date


Junichi SHIBUSAWA